BINGHAM MCCUTCHEN LLP

NOV 2 2 2004

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Facsimile

DATE November 22, 2004

	NAME	FAX	PHONE
ТО	Examiner Theodore J. Criares	(703) 872-9306	
	USPTO - Art Unit 1617		

FROM Antoinette F. Konski

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PAGES (INCLUDING THIS COVER PAGE): 19 Application Serial No.10/051,320

RE

Message:

Bingham McCulchen LLP
1900 University Avenue

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East Pala Alia, CA

94303-2223 Transmittal Form (1 pg);

Fee Transmittal in duplicate for fee processing (2 pgs);

650.849.4400 Request for Continued Examination Transmittal (1 pg);

650,849,4800 fax Communication in Connection with the Filing of a Request for

Continued Examination Application (RCE) (7 pgs) and

Supplemental Information Disclosure Statement w/form PTO/SB/08A

and one cited reference (7 pgs)

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		Application Number		10/051,320			
TRANSMITTAL FORM			1/18/02				
			H. Michael Shepard				
(to be used for all correspondence after initial filing)		Art Unit		1617			
			Criares, T	heodore J.			
Total Number of Pages In This Submission 18			NB 2019.00				
ENCLO	SURES	check all that apply)					
			After Allowance Communication to Group				
Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences				
Petition ·			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
Petition to Convert to a Provisional Application			Proprietary Information				
Power of Attorney, Revocation Change of Correspondence Address			☐ Status Letter				
Terminal Disclaimer			Other Enclosure(s) (please identify below):				
☐ Request for Refund ☐ CD, Number of CD(s)			Request for Continued Examination and Copy of US. Patent No. 5,643,893				
Rema	rks						
		•		*			
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Bingham McCutchen LLP or Antolnette F. Konskl							
Signature / internetto okaski							
Date November 22, 2004							
CERTIFICATE OF TRANSMISSION							
I hereby certify that this correspondence is being sent via facsimile on the date indicted below to: Commissioner for Patents, Art Group Unit 1617 fax number (703) 872-9308 to Examiner Theodore J. Criares.							
Typed or printed name Peggy Nichols .							
ichob			Date	November 22, 2004			
	ENCLO ENCLO Drawin Licensi Petition Petition Provisi Power Chang Chang CD, Nu Rema	First N Art Uni Examin 18 Attorne ENCLOSURES Drawing(s) Licensing-relate Petition Petition Petition to Conversional Applements Power of Attorne Change of Corre Terminal Disclair Request for Refi CD, Number of Conversional Applements Remarks FURE OF APPLICATE Sheing sent via faces of to Examiner Theorem	Examiner Name 18 Attorney Docket Number ENCLOSURES (check all that apply) Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks TURE OF APPLICANT, ATTORNEY, O	First Named Inventor Art Unit 1817 Examiner Name Criares, T 18 Attorney Docket Number NB 2019.0 ENCLOSURES (check all that apply) Drawing(s) Licensing-related Papers Petition Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks FURE OF APPLICANT, ATTORNEY, OR AGENT CERTIFICATE OF TRANSMISSION Is being sent via facstmile on the date indicted below to: Disclaimer Theodore J. Criares.			

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(650) 849-4950

November 22, 2004

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Comptete If Known

10/051,320

PTO/SE/17 (10-05)

Approved for use Prough 07/31/2006, OMB 0661-0032

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Application Number

for FY 2004	Filing Date 1/10/02						
	First Named Inventor		H. Mic	H. Michael Shepard			
Effective 10/01/2003. Patent fees are subject to annual revision.	Exami	Examiner Name Criares, Theodore J		s, Theodore J.			
Applicant claims small entity status. See 37 CFR 1.27	Art Unit 1617			}			
TOTAL AMOUNT OF PAYMENT (\$) 395	Attorney Docket No. NB 2019.00				<u></u> _		
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (conlinued)						
_	3, AD	3. ADDITIONAL FEES					
Check Credit card Money Other None Order		Entity	Smail	with			
☐ Deposit Account	Fee	Fee	Fee	Fee	Fee Description F	ee Pald	
Deposit	Code 1051	(5) 180	Code 2051	(S) 65	Surcharge - late filling fee or calls		
Account 50-2518 Number	1052	50	2052	25	Surcharge - tate provisional filling fee or cover sheet.		
Deposit	1053	130	1053	130	Non-English specification		
Account Birigham McGuitchen LLP	1812	2,520	1812	2.520	For filing a request for reexamination		
Name The Director Is authorized to: (check all that apply)	1804	3 50-	1804	920	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below	1805	1.640*	1805	1,840	Requesting publication of SIR after Examiner action		
Charge fee(a) indicated below, except for the filling fee	1251	110	2251	55	Extension for reply within first month		
to the above-identified deposit account. FEE CALCULATION	1252	420	2252	210	Extension for rapty within second month		
1. BASIC FILING FEE	1253	950	2253	475	Extension for reply within third month		
Large Entity Small Emity	1254	1,450	2254	740	Extension for reply within fourth month	<i>:</i> _	
Fee Fee Fee Fee Fee Description Code (\$) Fee Paid Fee Paid	1255	2,010	2255	1,005	Extension for reply within lifth month		
1001 770 2001 385 Utility filing fee	1401	330	2401	165	Notice of Appeal		
1002 340 2002 170 Design filing lee	1402	930	2402	165	Filing a brief in support of an appeal	\vdash	
1003 530 2003 265 Plant filing fee	1403	390	2403	145	Request for oral hearing	\vdash	
1004 770 2004 385 Reissue filing fee	1451	1,510	14\$1	1,610	Petition to institute a public use proceeding		
1005 150 2005 80 Provisional filling fee	1452	170	2452	55	Petition to revive – unavoldable	-	
SUBTOTAL (1) (\$) 0	1453	1.330	2453	665	Pelition to revive - unintentional	 	
THE PERSON AND DESCRIP	15D1	1,330	2501	665	Utility lasue fee (or relasue)	\vdash	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1502	480	2502	240	Design issue fee Plant Issue fee		
Edtra Fee from Fee Claims below Paid	1503	640	2503	320	Pellians to the Commissioner		
Total Claims 18 -20 - = 0 x = 0	1450 1807	130 50	1460 1807	130 50	Processing tea under 37 CFR 1.17 (q)		
Independent 1 -3 ** = 0 X = 0	1805	190	1806	180	Submission of Information Disclosure		
Multiple X = 0	8021	40	<u>802</u> 1	40	Recording each patent assignment per property (times number of properties)		
Large Entity Small Entity Fee Fcc Fee Fee Fee Description	1809	770	2509	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1202 16 2202 9 Claims in excess of 20	1910	770	2810	385	For each additional Invention to be examined (37 CFR § 1.129(b))		
1201 86 2201 43 Independent claims in excess of 3		_ :			·	Trini	
1203 290 2203 145 Multiple dependent claim, if not paid Reissue independent claims over	1801	770	2501	385	Request for Continued Examination (RCE)	385	
1204 85 2204 45 original patent	1802	900	1802	900	Request for expedited examination of a design application		
1205 18 2205 \$ Normal patent Other fee (specify)							
SUBTOTAL (2) (5) 0 "Or number praviously paid, if gréater, For Relissues, see above	*Redu	ced by B	aeic Filin	g Fee P	ald SUBTOTAL (3) (\$) 395		
or number previously paid, if greater, not measures, see about			-				
SUBMITTED BY Complete (if spp#csble)							

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on this form. Provide credit ca This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to fite (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Christ Information Officer, U.S. Patient and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Asxandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Fetents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in complating this form, call 1-800-PTO-9199 (1-800-788-9199) and select option 2.

34, 202

Registration No.

(Altomoy/Agent)

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	Complete if Known			
FEE TRANSMITTAL	Application Number	10/051,320		
for FY 2004	Filing Date	1/18/02		
1.	First Named Inventor	H, Michael Shepard		
Effective 10/01/2003. Parent less are subject to annual revision.	Examiner Name	Criares, Theodore J.		
Applicant claims small entity status. See 37 CFR 1.27	Art Unit	1617		
TOTAL AMOUNT OF PAYMENT (\$) 395	Attorney Docket No.	NB 2019.00		
	·			

TOTAL AMOUNT OF PAYMENT (\$) 395	Attorney Docket No. 148 2018-00				
METHOD OF PAYMENT (chock all that apply) FEE CALC				CULATION (continued)	
	3. ADDITIONAL FEES				
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None, Order	<u>Large Entity</u>	Small E	nthy	•	
Deposit Account: Deposit Account So-2518 Done FEE PROCESSING	Fee Fcc Code (3)		P98 (\$)	Fee Description . Fee Paid	
Deposit Account 50-2518	1051 130		85 S	urcharge - late filing fee or oath	
Number .	1052 50	2052	25 ·S	urcharge - late provisional alling fee r cover sheet	
Deposit i	1053 130	1053		ion-English specification	
ACCOURT Bingham McCulchen LLP	1812 2,520	1812		or filing a request for reexamination	
Name The Director is authorized to: (check all that apply)	1804 920*	1804		lequesting publication of SIR prior to ixaminer action	
□ Charge tae(s) Indicated below! □ Credit any overpayments □ Charge any additional fee(s) during the pendency of this application	1805 1,840	1805	E	lequesting publication of SIR after carniner action	
Charge tee(s) indicated below, except for the filing fee	1251 110	2251	55 E	ixtension for reply within first month	
to the above-identified deposit account. FEE CALCULATION	1252 420	2252		idension for reply within second	
	1253 550	2253		ixtension for reply within third month	
1. BASIC FILING FEE Large Entity Small Entity	1254 1,480		740 E	xerision for reply within fourth	
Fee Fee Fee Fee Fee Description Fee Paid	1255 2,010	2255	1,005 E	extension for reply within fifth month	
Code (a) Cose (b)	1401 330	2401	165 N	lotice of Appeal	
1001 770 2001 SBS Littly filing fee	1402 330	2402	165 F	filing a brief in support of an appeal	
1002 340 2002 170 Dealgn fliling fee	1403 290	2403	145 F	lequest for oral hearing	
1003 - 530 2003 265 Plant fixing fee 1004 770 2004 385 . Reissue fling fee	1451 1,510	1451		resilien to institute à public use	
1005 180 2005 80 Provisional filling tee	1452 110	2452		etition to revive - unavoidable	
SUBTOTAL (1)	1453 1,530	2453	665 P	Petition to revive — unintentional	
	1601 1,330	2501	665 L	hility issue fee (or relssue)	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1502 480	2502	240 D	Design leave fee .	
Extra Fee from Fee	1503 640	. 2503		Hant issue fee	
Claims below Paid	1450 130	1450		Petitions to the Commissioner	
TVE CIBITS	1807 50	1807		Processing tee under 37 CFR 1.17 (q)	
Independent Cialms 1 43 = 0 X	1808 190	1805		Submission of Information Disclosure	
Multiple Dependem	8021 40	8021	40 p	Recording each patent assignment property (times number of properties)	
Large Entity Small Entity Fec Fee Fcc Fee Fee Description	1809 770	2809		Rling a submission after final rejection 37 CFR § 1.129(a))	
1202 18 2202 9 Claims in excess of 20	1810 770	2510	385 F	For each additional Invention to be examined (37 CFR § 1.129(b))	
1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid	1801 770	2801		equéet for Continued Examination (RCS) 395	
1204 86 2204 43 original patent	1802 900	1802	900 R	equest for expedited examination	
1205 18 2205 9 ** Release dalms in excest of 20 and	1		·		
1205 16 2205 9 over original patent	Other fee (spi	cify)	-		
SUBTOTAL (2) (\$) 0	-Reduced by Basic Filing Fee Paid SUSTOTAL (2) (5) 395				
or number proviously paid, if greater, For Reissues, see above					
SUBMITTED BY	SUBMITTED BY Complete (if applicable)				

SUBMITTED BY		-		Co	krolete (il applicable)
Name (Print/Type)	Agromaca F. Konski	Registration No. (Αιτοπιεγ/Αρεπι)	34, 202	Talephone	(650) 849-4950
Signature	Muturille 31	Konslu		Date	November 22, 2004

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